

MINUTES

CITY COUNCIL MEETING

SEPTEMBER 14, 2004

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:33 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

PLEDGE OF ALLEGIANCE

MAYOR MITCHELL led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard

Assistant City Attorney Stephen Pfahler

Assistant City Manager Sam Wise

Planning Director David Wahba

Senior Planner Niki Cutler

Community Services Director Andy Clark

Administrative Analyst Greg Grammer

Others Present: Steve Pekich, Park and Activities Commission

Judy Bayer, Planning Commission

CEREMONIAL ITEMS

A. MAYOR MITCHELL invited Martin Gombert, Assistant Administrator, Palos Verdes Peninsula Transit Authority and COUNCILWOMAN SEAMANS to the podium. Mr. Gombert was pleased to present her with a certificate of appreciation recognizing her eight years of service on the Authority. COUNCILWOMAN SEAMANS then commented she was very pleased to accept this award.

MAYOR MITCHELL commended COUNCILWOMAN SEAMANS on her leadership on the Peninsula. She went on to explain how the PV Transit operates and that she would like to see this program continue to serve the community.

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF AUGUST 24, 2004

MAYOR PRO TEM ADDLEMAN requested a correction on Page 3, Paragraph 1:

"It was the consensus of the COUNCIL to appoint MAYOR MITCHELL and COUNCILMAN ZERUNYAN ZUCKERMAN to serve on a subcommittee to evaluate this request and report back to COUNCIL."

MAYOR MITCHELL requested the following amendment on Page 10, Paragraph 1:

"COUNCILMAN ZUCKERMAN moved, ~~seconded by~~

TO CONTINUE THE PUBLIC HEARING AND REQUEST THE APPLICANT....."

MAYOR MITCHELL requested the following amendment on Page 12, Paragraph 11:

"COUNCILWOMAN SEAMANS moved., ~~seconded by~~

TO ADOPT A FIVE-YEAR AGREEMENT WITHOUT CHANGES...."

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF AUGUST 24, 2004 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. DEMANDS AND WARRANTS – AUGUST AND SEPTEMBER

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO Approve Warrants 36135 through 36211 in the amount of \$114,163.81; Supplemental Warrants 080401 through 080402; 35850 Void; 35888 Void; 35890 through 35902; 35999 through 36002; 36005; 36113 through 36119; 36120 Void; 36121 and 36122 in the amount of \$210,817.36 for a grand total amount of \$324,981.17 with proper audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CONSENT CALENDAR

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE ITEMS A-D.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 20, 2004

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED AUGUST 27, 2004

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED SEPTEMBER 3, 2004

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. Tim Scott, 19 Aurora, Monticello Homeowners' Association, Neighborhood Coalition, commented on the Rolling Hills Covenant Church's first look subcommittee which will review a new application. He thanked the community for all their involvement in the prior application and the COUNCIL'S subsequent rejection of that proposal which he believed to be consistent with the General Plan. In regards to the City's policy determinations, he endorsed the first look subcommittee stating these policies should be applied to the next project. Additionally, he strongly recommended the community be involved in this subcommittee and

made clear his desire that the subcommittee not engage in design efforts leaving it to the applicant to present a plan taking into account the policy decisions and concerns already heard. He noted that any recommendations made by the first look committee should not be binding and thanked the COUNCIL for their continued efforts on this matter.

MAYOR MITCHELL noted that she and COUNCILMAN ZUCKERMAN served on the initial mediation meetings between Rolling Hills Covenant Church, the community and the City. She stated that a decision has yet to be made on who will serve on the new subcommittee as further research is needed prior to moving forward. Additionally, she noted that there will be more to report at the next meeting, but it is the COUNCIL'S desire to include the community in this process.

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public. ***(Taken out of order)***

A. COUNCILWOMAN SEAMANS

1. CONSIDERATION OF SUPPORT OF PROPOSITION 71 (CALIFORNIA STEM CELL RESEARCH AND CURES INITIATIVE)

Recommendation: That the City Council review this report and provide direction to staff.

MAYOR MITCHELL noted that the South Bay Cities Council of Governments Legislative Committee did not take a position on this issue and will make this recommendation to the SBCCOG Board of Directors.

Administrative Analyst Grammer provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN inquired if any other cities had taken a position on this matter with Administrative Analyst Grammer stating they had not.

COUNCILWOMAN SEAMANS noted her opinion that this would benefit the South Bay as it would provide additional bio-medical research jobs for this area.

Scott Manlief, 28 Oceancrest, Rancho Palos Verdes, stated that he attended the SBCCOG Legislative meeting and addressed some issues that had been mentioned by the COUNCIL. He distributed additional information and went on to explain the embryonic stem cell research process noting that no state taxes would be imposed. Additionally, he provided details of how these monies will be dispersed and eventually recouped. He respectfully asked that the COUNCIL to endorse Proposition 71.

Mary Sheridan, Retired Teacher, No on Proposition 71, explained that this will hurt California's economy for many years to come if it passes. She provided a lengthy description of the adult stem cell process rather than using embryonic cells and encouraged this type of research. She requested the COUNCIL oppose Proposition 71.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

NOT TO TAKE A POSITION ON PROPOSITION 71.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

PUBLIC HEARINGS/MEETINGS

A. CONTINUED PUBLIC HEARING - PLANNING APPLICATION NO. 14-04 (SILVER SPUR COURT); APPLICANT: GREG BROWN; LOCATION: 981 SILVER SPUR ROAD – FORMER MC DONALD'S SITE

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Adopt Resolution No. 2055 approving the proposed project as well as adopting the associated Mitigated Negative Declaration.

Senior Planner Cutler provided a staff report (as per agenda material).

Greg Brown, Applicant, stated the design of his project is appropriate for the site and that every option for improvements and appearance was considered, particularly for the height of the building. Since the Post Office is so massive, Mr. Brown stated that the articulation along Silver Spur Road will be broken up so as to minimize the appearance of both buildings. It was then noted that the height had been reduced by two feet which will encourage additional light along the street. Additionally, he stated that this is an example of a visionary architect and that it will be built with the highest quality materials. He requested COUNCIL support of this project.

Dimitris Klapsis, Architect, Moule & Polyzoides, noted that the height had been reduced to the same height as the Post Office. He reiterated breaking up the façade with the upper balconies thus providing relief towards the top of the structure. As this will be the gateway to the commercial district, it is hoped that it will alert residents to an exciting change happening at this site. He then went on to describe the various materials that will be utilized.

In regards to the parking spaces, he reiterated that the 18 foot space standard has been adopted by many cities and noted that this size space would not be a major hindrance in the parking lot.

MAYOR PRO TEM ADDLEMAN expressed his disappointment that a photograph illustrating the Post Office and the proposed building side-by-side was not provided as he requested.

COUNCILMAN ZUCKERMAN inquired as to the actual ridge reduction height. Mr. Klapsis indicated that they have reduced the height by approximately three feet.

COUNCILMAN ZUCKERMAN inquired into how this would affect handicap accessibility. Mr. Klapsis noted that, since the floor had to be reduced by two feet, it would not be feasible for this unit to accommodate the disabled.

COUNCILMAN ZUCKERMAN noted his concern with the combined width of the parking stalls and aisles as it becomes narrower. He questioned how this would affect back-up radius turns for the residents while the three southerly spaces have no back-up room at all.

Mr. Klapsis noted they rearranged the layout of the parking and are planning to push the ramp to the edge on the lower level effectively removing the wall providing back-up for those three spaces.

COUNCILMAN ZERUNYAN referred to the visual massing of both the Post Office and the new building and discussed this issue with the Applicant. He concurred with MAYOR PRO TEM ADDLEMAN'S comments regarding a photograph being supplied as it would have been very helpful.

COUNCILMAN ZERUNYAN referred to the parking as well noting that he did not hear any discussion or renderings for accommodating the delivery trucks as they will more than likely park in the Crenshaw Boulevard turn pocket rather than going onto the property. It was his concern there would be a blind spot and possibly create a traffic hazard. Mr. Klapsis indicated the proposal does address the City's concerns in that a loading space will be provided, but that oftentimes smaller trucks tend to park in a red zone for a short period of time. In regards to the larger vehicles, it was noted this type of arrangement would not accommodate them. As there is little turnover for condominiums, Mr. Klapsis stated there is enough of a distance from the edge of where the traffic light is located in either direction to provide for a truck to stop without causing any hazard.

Mr. Klapsis referred to a rendering that shows a portion of the Post Office and the building together with respect to the linear footage demonstrating the combined length of 300 feet.

COUNCILMAN ZUCKERMAN noted his appreciation for the Applicant's responsiveness in addressing the City's concerns. He indicated he would like to see the enclosed courtyard opened up so the general public could also enjoy looking at this corner.

Mr. Brown commented that it was his desire to create a balance of mixed use and commercial property

which was reviewed by the Mixed Use Subcommittee as well as approved by the Planning Commission.

Mr. Klapsis noted that the site was designed with a commercial approach on Silver Spur Road and a residential theme on Crenshaw Boulevard.

MAYOR MITCHELL complimented Mr. Klapsis on responding to the City's concerns regarding the height of the building. She noted that the renderings provide additional articulation along Silver Spur Road and was very informative.

MAYOR MITCHELL noted she met with Mr. Brown to discuss the height issue between the two buildings prior to the COUNCIL meeting. She stated she was extremely pleased with this design. Additionally, she indicated that the commercial elements facing Silver Spur Road are appropriate. She then informed the audience that the initial proposal was for a strip mall, but the COUNCIL rejected that proposal and directed the Applicant to come back with a revised plan.

Craig Knickerbocker, 30 Hidden Valley Road, informed the COUNCIL that he, too, has a mixed use project pending in the Deep Valley Drive area and endorsed the Silver Spur Road project. He noted that this will be a jewel in the City and a great kickoff for the commercial district. He encouraged the COUNCIL'S support of this project.

Tom Judge, 28 Rollingwood, commented on his concern regarding traffic. He noted that, while the architecture is beautiful, there is no street parking for this site. His concerns included the two lanes going down Crenshaw Boulevard, construction at that site and how traffic would be mitigated on Silver Spur Road traffic as well as parking. He stated that he does not oppose the project, but strongly emphasized that this be addressed.

Mary Porter, Ranchview Road, stated she was also bothered by the parking as well as the two foot separation between the Post Office.

Mr. Klapsis indicated that the air conditioning units will not be visible from the street.

COUNCILWOMAN SEAMANS then inquired as to the two foot space between the buildings.

Mr. Klapsis indicated that the space is actually six inches and the California Building Code has strict requirements of that type of space being too close to the property line. He referred to expansion joints which would be used between those buildings to keep out wildlife and debris effectively sealing off that gap.

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

MAYOR PRO TEM ADDLEMAN reiterated his dismay at not being able to view a photograph visualizing both buildings together as well as assistance in envisioning the street parking.

MAYOR PRO TEM ADDLEMAN requested the following amendment to Condition No. 101: "Applicant shall provide a Traffic Control Plan for on-street parking subject to review and approval by the City Engineer."

With that amendment, MAYOR PRO TEM ADDLEMAN noted his support for the project.

COUNCILMAN ZUCKERMAN commented on whether satellite dishes should be allowed on the exterior elevations.

Planning Director Wahba indicated that the federal government can preempt a city's requirement for satellite locations.

Mr. Klapsis noted that the CC&Rs will include a specific design and location directing 18 satellite dishes away from public view which would not be seen from the street while complying with federal regulations.

COUNCILMAN ZUCKERMAN then referred to signage for the commercial area stating he would like to ensure that no internal illuminated signs be allowed. Planning Director Wahba noted this condition will be included in the master sign plan.

Discussion continued with COUNCILMAN ZUCKERMAN stating he was satisfied with the existing geo-technical standards.

COUNCILMAN ZUCKERMAN noted that he would prefer to have seen a traffic site plan addressing these specific issues.

Discussion ensued regarding possible traffic confusion at Silver Spur Road and Crenshaw Boulevard. COUNCILMAN ZUCKERMAN stated that the Traffic Engineer recommended the curb remain red, but acknowledged that delivery trucks may park there. Additionally, it was noted that additional parking will be available in the commercial parking stalls. It was suggested to have the Traffic Engineer review this street again for consideration of a loading lane in front of the Post Office.

In regards to enforcement of the parking restrictions, MAYOR MITCHELL suggested monitoring of the street.

Discussion continued regarding another amendment to Condition No. 101 to include the following: "...on-street parking be set back from the street west of the proposed driveway."

COUNCILWOMAN SEAMANS commented on her excitement with this project and stated that the Peninsula will be proud of this development. She noted her pleasure at having this well-known architectural firm work on this site and thanked the architect for his design.

COUNCILWOMAN SEAMANS noted she also met with Mr. Brown prior to the meeting and thanked him for being so responsive in terms of the COUNCIL'S questions and wholeheartedly supported this project.

COUNCILMAN ZUCKERMAN noted his concurrence with utilizing expansion joints between the two buildings and wished to include this item as a condition.

1. RESOLUTION NO. 2055 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A TENTATIVE TRACT MAP, A CONDITIONAL USE PERMIT, A PRECISE PLAN OF DESIGN, A VARIANCE APPLICATION TO EXCEED THE MAXIMUM PERMITTED BUILDING HEIGHT, A VARIANCE APPLICATION TO PERMIT SMALLER PARKING SPACE DIMENSIONS THAN REQUIRED BY CODE, AND A MITIGATED NEGATIVE DECLARATION FOR A MIXED-USE PROJECT FOR EIGHTEEN (18) CONDOMINIUM UNITS INCLUDING THREE (3) LIVE/WORK UNITS ON AN .81-ACRE PARCEL.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2055 WITH THE FOLLOWING AMENDMENTS TO CONDITION NO. 101:

"Applicant shall provide a Traffic Control Plan for on-street parking subject to review and approval by the City Engineer AND on-street parking be set back from the street west of the proposed driveway."

AND TO APPROVE THE MITIGATED NEGATIVE DECLARATION AND INCLUDE IN THE CC&Rs CONDITION NO. 13 WITH THE PROVISION THAT SATELLITE DISHES BE LOCATED AWAY FROM PUBLIC VIEW IN A CENTRAL LOCATION AND THAT EACH UNIT BE CONNECTED TO CABLE.

City Manager Prichard read Resolution No. 2055 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. PUBLIC MEETING – CITY PROPERTY REUSE UPDATE

Recommendation: That the City Council: 1) Allow the general public to comment on the conversion of the 2500 Palos Verdes Drive North building into a public meeting space; and 2) Direct staff as to the future development of the 2500 Palos Verdes Drive North building.

Community Services Director Clark provided a staff report (as per agenda material).

MAYOR MITCHELL inquired if the proposed fees will be charged to the operating expenditures. Community Services Director Clark indicated that this fee will offset proctor costs.

Brief discussion ensued regarding several questions regarding signage and landscaping.

COUNCILMAN ZUCKERMAN inquired as to how many parking spaces will be included at the Nature Center and rear of the building. It was noted that there are 27 which exceeds the typical amount necessary and is well within the parking standard.

In response to COUNCILMAN ZUCKERMAN'S comment regarding the process followed to date, Community Services Director Clark stated there had been two meetings with the full subcommittee, including representatives from the COUNCIL and Homeowners' Association, as well as staff. He noted that direction was given to move forward as this item was discussed at the Policy Development Session. Additionally, it was noted that the Park and Activities Commission had reviewed the conceptual landscaping plan as well. Additionally, he pointed out that ample input had been provided from the subcommittee as well as interested parties.

COUNCILMAN ZUCKERMAN stated he wants to ensure that every option has been considered.

Kurt Mueller, 29 Hitching Post, Georgette Canyon Homeowners' Association, commented that the original intent was to retain this corner as open space. When he spoke with COUNCILMAN ZERUNYAN regarding a possible community center, he stated he would support this use. He noted that he would like to see a landscaping plan as well as a drawing showing ingress and egress as it directly affects their entryway. Additionally, he suggested that when the Pacific Realty lease is set to expire, a park might be considered at that location.

Bob Alvarado, commented on his involvement in youth sports noting he was pleased that this new community room will serve sports organizations throughout the Peninsula.

Greg Delgado, 11 Lariat Lane, noted that he has organized many sports programs, and while the School District has done a wonderful job in providing a location to meet, it tends to change from month-to-month. He stated that this community center would be an asset to everyone needing a regular meeting place. He thanked the past COUNCIL, as well as the present COUNCIL, for supporting youth activities.

Mike Russo, 9 Bridlewood Circle, President, Bridlewood Homeowners' Association, concurred with Mr. Mueller's comments on the use of and landscaping at that site. He noted he would be willing to revisit the location and wished to be included in future meetings, offering to donate his time.

Bob Bennett, 16 Deerhill, added his support believing this to be a great use of the facility and was impressed with the leadership, particularly COUNCILMAN ZERUNYAN, in working to move this project along. He noted that many community groups, as well as philanthropic organizations would benefit from this room and may encourage residents to organize fundraisers for the center.

COUNCILWOMAN SEAMANS expressed her disappointment at not being completely involved in this process. She also concurred with Mr. Mueller regarding the landscaping plan as this must be considered very carefully. She noted her continuing concern regarding the building as it is not in good shape.

MAYOR MITCHELL noted that disabled individuals may use the Nature Center restroom facilities, but the

community room's accommodations should be functional.

COUNCILMAN ZERUNYAN thanked everyone who spoke and noted that it was his desire to ensure the Hitching Post entryway is made as beautiful as possible. Additionally, he stated that he met with Mr. Mueller who then volunteered his time to improve this site.

In regards to the reservation guidelines, COUNCILMAN ZERUNYAN stated that various organizations have generously offered labor and monetary support to assist in the renovation as well as maintaining this facility.

Discussion continued regarding how far in advance reservations should be made as COUNCILMAN ZERUNYAN inquired as to why the current policy states an organization must be limited to meeting once a month and thought this requirement too restrictive. It was his opinion to allow food and drinks in order to make this room as "user-friendly" as possible.

COUNCILMAN ZUCKERMAN noted that allowing refreshments could become problematic as those groups would have to be responsible for clean-up prior to leaving.

COUNCILWOMAN SEAMANS indicated that Guideline No. 3(d) should be made a condition of use. She suggested this item be reviewed at the next meeting so that public comments will be incorporated in the report.

After further discussion, it was the consensus of the COUNCIL to name the site the "Rolling Hills Estates Community Center" which will also include the Nature Center.

It was noted that donations may be made to the Pepper Tree Foundation and earmarked for this purpose.

COUNCILWOMAN SEAMANS noted she would like to review a landscaping plan that includes the horsetrail.

Barbara Dye, Palos Verdes Peninsula Land Conservancy Executive Director, commented that, while she has not been directly involved this process, the Nature Center's Naturalist has attended a meeting. She noted that they could assist with the plantings for COUNCIL consideration and would be willing to work with staff on the landscape plan. She then indicated that the Nature Center may open an additional day during the week.

MAYOR MITCHELL recommended carrying this item over to the next meeting for review of the landscape plan.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CONTINUE THIS ITEM TO THE NEXT MEETING TO BRING BACK INFORMATION REGARDING A LANDSCAPE PLAN, CARPET, AND FENCING, ETC., AND TO DISTRIBUTE THE DRAFT RESERVATION POLICY TO THE HOMEOWNERS' ASSOCIATIONS.

COUNCILMAN ZERUNYAN stated he will speak to sports organization representatives, as well as meet with Mr. Mueller, to discuss costs. COUNCILWOMAN SEAMANS also wished to meet with them as well.

C. CITIZENS' OPTION FOR PUBLIC SAFETY (COPS)

Recommendation: That the City Council: 1) Open the public hearing; 2) Take any public testimony; 3) Close the public hearing; 4) Authorize the continuation of the three CORE Deputies; and 5) Adopt Resolution No. 2057 establishing a reserve account for the COPS program and making appropriations therefrom.

City Manager Prichard provided a staff report (as per agenda material).

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Captain Jay Zuanich, Lomita Sheriff's Station, commented that the CORE Deputies take excellent care of the community.

COUNCILMAN ZERUNYAN noted that the CORE deputies serve the schools well and care about the students. He commended Captain Zuanich and his staff for their hands-on approach in reaching out to the community.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

COUNCILMAN ZUCKERMAN noted he has supported this program since he has been on the COUNCIL and that Captain Zuanich and the deputies treat this program as if they were members of the community.

MAYOR MITCHELL stated she was also pleased with this program as well.

1. RESOLUTION NO. 2057 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ESTABLISHING A RESERVE ACCOUNT WITHIN THE GENERAL FUND FOR THE CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM AND MAKING APPROPRIATIONS THEREFROM.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2057.

City Manager Prichard read Resolution No. 2057 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

NEW BUSINESS

A. POLITICAL REFORM ACT REPORTING REQUIREMENTS/CITY CONFLICT OF INTEREST CODE

Recommendation: That the City Council adopt Resolution No. 2058 which will adopt by reference the current Fair Political Practices Commission Standard Model Conflict of Interest Code and designate positions required to submit Statements of Economic Interest.

City Manager Prichard provided a staff report (as per agenda material).

1. RESOLUTION NO. 2058 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING A CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST CODE.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO ADOPT RESOLUTION NO. 2058.

City Manager Prichard read Resolution No. 2058 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. RESOLUTION SUPPORTING PRESERVATION OF OPEN SPACE

Recommendation: That the City Council approve Resolution No. 2059 supporting the preservation of open space on the Palos Verdes Peninsula.

Community Services Director Clark provided a staff report (as per agenda material).

Barbara Dye reported that progress has been made in acquiring the last piece of the Chandler Preserve for the Rancho Palos Verdes Portuguese Bend Preserve. She noted that the goal is to provide public trails for everyone to enjoy and thanked the COUNCIL for their support.

1. RESOLUTION NO. 2059 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES SUPPORTING THE PRESERVATION OF OPEN SPACE ON THE PALOS VERDES PENINSULA.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2059.

City Manager Prichard read Resolution No. 2059 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

OLD BUSINESS

A. REQUEST FOR QUALIFICATIONS (RFQ) FOR CONSULTING SERVICES TO PREPARE A PERFORMANCE AUDIT OF CITY GENERAL MAINTENANCE DIVISION AND LANDSCAPE MAINTENANCE SERVICE PROVIDER

Recommendation: That the City Council: 1) Review and approve the Request for Qualifications (RFQ) for consulting services to prepare a performance audit of the City's General Maintenance Division and landscape maintenance provider, BMC Landscape, Inc., and 2) Direct staff to distribute the RFQ to qualified consultants.

Administrative Analyst Grammer provided a staff report (as per agenda material).

Brief discussion ensued regarding how the Maintenance Department and BMC Landscaping duties will be reviewed.

City Manager Prichard indicated that, at the Policy Development Session, it was the consensus of the COUNCIL to focus mainly on landscape issues.

MAYOR MITCHELL suggested the following changes under the second bullet of the staff report:

"Conduct an inventory of the tasks performed by the City's General Maintenance Division and the tasks performed by BMC Landscape where an overlap or gap may exist with the current landscape contractor."

Under bullet three she suggested the following change:

"Determine whether there is an overlap or gap between the tasks completed by the City and BMC."

It was the consensus of the COUNCIL to include this in the Request for Qualifications.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE REQUEST FOR QUALIFICATIONS (RFQ) FOR CONSULTING SERVICES TO PREPARE A PERFORMANCE AUDIT OF THE CITY'S GENERAL MAINTENANCE DIVISION AND LANDSCAPE MAINTENANCE PROVIDER, BMC, LANDSCAPE, AS AMENDED AND DIRECT STAFF TO DISTRIBUTE THE RFQ TO QUALIFIED CONSULTANTS.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

City Manager Prichard suggested a subcommittee be appointed to assist in reviewing and interviewing the consultant applicants. MAYOR MITCHELL appointed MAYOR PRO TEM ADDLEMAN and COUNCILWOMAN SEAMANS to serve in this capacity.

CITY ATTORNEY ITEMS

NONE

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

A. REFUSE FRANCHISE RENEWAL COMMITTEE REPORT

MAYOR PRO TEM ADDLEMAN reported that he, along with COUNCILMAN ZERUNYAN reviewed four proposals submitted from various trash haulers with one being eliminated as it was not to form. He noted they had visited three sites and will set interviews for September 24 with a report coming back to the COUNCIL on October 12. Additionally, he stated that he was very satisfied with the consultant working on this project.

B. MAYOR MITCHELL stated that she met with Jack Wong regarding the zoning updates for the mixed use overlay and master plan area. She noted he is in the process of recommending amendments to the code.

She noted that Craig Knickerbocker informed the committee on his forthcoming mixed use project in the Deep Valley Drive area, proposing entry level housing (townhomes) on the land behind the medical building. She indicated that this application should be coming before the joint COUNCIL/Planning Commission sometime in October. It was noted that other projects for discussion at that meeting will include the former Arco and Peninsula Carwash sites as well.

COUNCILMAN ZUCKERMAN advised caution to preserve the goods and services to the community in the commercial area. He noted his concern with residential driving out commercial uses and asked that this be looked at very closely.

COUNCILMAN ZUCKERMAN then referred to a process that might be considered for transfer of development rights which would allow a certain amount of density, preserve commercial properties and still allow for mixed use development.

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public. ***(Continued)***

B. MAYOR MITCHELL

1. APPOINTMENT OF EQUESTRIAN COMMITTEE MEMBERS

After brief discussion, it was the consensus of the COUNCIL

TO DEFER THE APPOINTMENT OF EQUESTRIAN COMMITTEE MEMBERS TO A FUTURE DATE WITH ONE INTERVIEW STILL REMAINING AND REQUEST ADDITIONAL RECRUITMENT FOR APPLICATIONS AS THERE ARE THREE SEATS YET TO BE FILLED.

C. MAYOR MITCHELL requested a subcommittee be appointed for this year's holiday party. She volunteered, along with COUNCILWOMAN SEAMANS, to serve in this capacity.

D. MAYOR MITCHELL requested a subcommittee be appointed for the Audit Subcommittee. MAYOR PRO TEM ADDLEMAN, along with COUNCILMAN ZERUNYAN volunteered to serve in this capacity.

E. MAYOR MITCHELL requested a subcommittee be appointed for the Vehicle Replacement Subcommittee. MAYOR PRO TEM ADDLEMAN, along with COUNCILMAN ZERUNYAN volunteered to serve in this capacity.

F. SECOND AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT

It was the consensus of the COUNCIL to defer this item to the next meeting.

CLOSED SESSION

A. DISCUSSION WITH RESPECT TO PERSONNEL MATTERS

1. ANNUAL CITY MANAGER PERFORMANCE EVALUATION

ADJOURNMENT

At 11:13 p.m., MAYOR MITCHELL formally adjourned the City Council meeting to a Tuesday, September 28, 2004 at 7:30 p.m.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk